



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Fike *et al.*

Appl. No.: 09/606,314

Filed: June 29, 2000

For: **Dry Powder Cells and Cell Culture  
Reagents and Methods of  
Production Thereof**

Confirmation No.: 1340

Art Unit: 1654

Examiner: Flood, M.

Atty. Docket: 0942.4290005/RWE/FRC

**Fourth Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§1.56, 1.97 and 1.98. A copy of each of these documents is provided.

The numbering of this Fourth Supplemental Information Disclosure Statement is a continuation of Applicants' Third Supplemental Information Disclosure Statement filed January 29, 2004, in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Documents AM5 and AN5 are in the Japanese language. These documents were cited in an Office Action mailed on April 27, 2004 by the Japanese Patent Office in JP 10-535951, which is the Japanese counterpart of the above-captioned U.S. Patent Application. The requirement for a concise explanation of the relevance of AM5 and AN5 under 37 C.F.R. § 1.98(a)(3)(i) is satisfied by the submission herewith of an English language translation of the Japanese Office Action (document AS13) in which the relevance of AM5 and AN5 is indicated. *See* M.P.E.P. § 609.III.A(3).

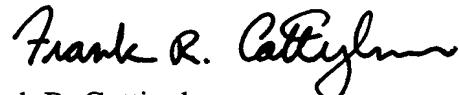
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required. 37 C.F.R. § 1.97(b)(3).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham  
Attorney for Applicants  
Registration No. 50,437

Date: July 22, 2004

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

289808.1



FORM PTO-1469  
FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT

ATTY. DOCKET NO.  
0942.4290005

APPLICATION NO.  
09/606,314

FIRST NAMED INVENTOR  
Fike et al.

FILING DATE  
June 29, 2000

ART UNIT  
1654

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes
	AM						No
	AN						Yes
	AO						No
AP4	WO 84/04107	10/25/1984	WIPO				Yes
							No

### OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS	13	Unverified English Translation of Office Action mailed on April 27, 2004, in Japanese Patent Application No. 10-535951
	AT	13	Sigma-Aldrich, "Biochemicalien Organische Verbindungen en Diagnostica" Sigma-Chemie Catalogue, Zwijndrecht, NL, pp. 1553,1634 (1996)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449

JUL 22 2004

## FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.  
0942.4290005APPLICATION NO.  
09/606,314FIRST NAMED INVENTOR  
Fike et al.FILING DATE  
June 29, 2000ART UNIT  
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## U.S. PATENT DOCUMENTS

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	AA						
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	AH						
	AI						
	AJ						
	AK						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL5	WO 95/13865	05/26/1995	WIPO			Yes No
	AM5	JP59-501933	11/22/1984	Japan			Yes X No
	AN5	JP60-248172	12/07/1985	Japan			Yes X No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



ATTORNEYS AT LAW



Robert Greene Sterne  
Edward J. Kessler  
Jorge A. Goldstein  
David K.S. Cornwell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michael A. Cimbala  
Michael B. Ray  
Robert E. Sokohl  
Eric K. Steffe  
Michael Q. Lee  
Steven R. Ludwig  
John M. Covert  
Linda E. Alcorn  
Robert C. Millonig  
Lawrence B. Bugaisky  
Donald J. Featherstone  
Michael V. Messinger

Judith U. Kim  
Timothy J. Shea, Jr.  
Patrick E. Garrett  
Jeffrey T. Helvey  
Heidi L. Kraus  
Albert L. Ferro\*  
Donald R. Banowitz  
Peter A. Jackman  
Teresa U. Medler  
Jeffrey S. Weaver  
Kendrick P. Patterson  
Vincent L. Capuano  
Eldora Ellison Floyd  
Thomas C. Fiala  
Brian J. Del Buono  
Virgil Lee Beaston  
Theodore A. Wood  
Elizabeth J. Haanes

Joseph S. Ostroff  
Frank R. Cottingham  
Christine M. Uhliker  
Rae Lynn Prengaman  
George S. Bardmesser  
Daniel A. Klein\*  
Jason D. Eisenberg  
Michael D. Specht  
Andrea J. Kamage  
Tracy L. Muller  
LuAnne M. DeSantis  
Ann E. Summerfield  
Tiera S. Coston  
Aric W. Ledford\*  
Helene C. Carlson  
Timothy A. Doyle\*  
Jessica L. Parezo  
Gaby L. Longsworth\*

Lori A. Gordon\*  
Nicole D. Dretar\*  
Ted J. Ebersole  
Jyoti C. Iyer\*  
Laura A. Vogel  
**Registered Patent Agents\***  
Karen R. Markowicz  
Nancy J. Leith  
Matthew J. Dowd  
Aaron L. Schwartz  
Katrina Yujian Pei Quach  
Bryan L. Sketton  
Robert A. Schwartzman  
Teresa A. Colella  
Jeffrey S. Lundgren  
Victoria S. Rutherford  
Michelle K. Holoubek

Robert H. DeSelms  
Simon J. Elliott  
Julie A. Heider  
Mita Mukherjee  
Scott M. Woodhouse  
Michael G. Penn  
Christopher J. Walsh

**Of Counsel**  
Kenneth C. Bass III  
Evan R. Smith  
Marvin C. Guthrie

\*Admitted only in Maryland  
†Admitted only in Virginia  
♦Practice Limited to  
Federal Agencies

July 22, 2004

**WRITER'S DIRECT NUMBER:**  
(202) 772-8615  
**INTERNET ADDRESS:**  
FRANKC@SKGF.COM

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Art Unit 1654**

Re: U.S. Utility Patent Application  
Application No. 09/606,314; Filed: June 29, 2000  
For: **Dry Powder Cells and Cell Culture Reagents and Methods of Production Thereof**  
Inventors: FIKE *et al.*  
Our Ref: 0942.4290005/RWE/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fourth Supplemental Information Disclosure Statement;
2. Listing of the cited documents on Form PTO-1449 (2 sheets);
3. A copy of each of the six (6) cited documents on Form PTO-1449; and
4. Return postcard.

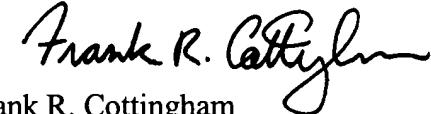
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
July 22, 2004  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham  
Attorney for Applicants  
Registration No. 50,437

FRC/pcd  
Encls.

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